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the Assistant Surgeons is doing this work of Resident Medical Officer. He is given a place for residence within the premises of the hospital. He has just the ordinary qualifications required for an Assistant Surgeon."

Sri P. B. K. RAJACHIDAMBARAM :—" Am I to understand that the average number of in-patients in the Tiruchirappalli hospital is less than 350? "

The Hon. Sri A. B. SHETTY :—" It is not the average number of in-patients but the sanctioned bed strength which is 275."

Kangayam Cattle Improvement Scheme

* 1248 *Q.*—Sri M. JAGANNATHAN : Will the Hon. the Minister for Agriculture be pleased to state whether there is any proposal to extend the period of the Kangayam Cattle Improvement Scheme beyond 31st March 1954?

The Hon. Sri M. BHAKTAVATSALAM :—" The scheme has already been extended up to 31st March 1957."

Mr. SPEAKER :—" Questions over."

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—MOTION UNDER RULE 40 *RE* CLOSURE OF WIMCO AT DHARMATAM, NORTH MALABAR.

9-20 a.m. * Sri K. P. GOPALAN :—" Sir, the motion is ' the closure of Wimco at Dharmatam, near Tellicherry, North Malabar, on 1st January 1955 in violation of section 33 of the Industrial Disputes Act, 1947, and the failure of the Government to intervene and take steps against the management for the illegal closure of the company and also for the reinstatement of workers thrown out of employment consequently '.

" Sir, the closure of the company took place on January 1, 1955. As a result of this 240 workers including the staff are unemployed. Sir, regarding this company, there are cases pending before the Appellate Tribunal and the Coimbatore Industrial Tribunal. According to the Appellate Tribunal Act and Industrial Disputes Act, 1947, if any case is pending before the Court, the management cannot close the factory without the permission of the Court. In this connexion, I wish to state, the management never took permission from the Court. So the closure is illegal. This kind of illegal closure is very common in Malabar and also I have to state that the Government is not taking any steps against these kinds of illegal closure. Further, before such a closure, it is the duty of the management to give prior notice to the workers. On January 1, 1955, the factory was closed; on December 31, in the morning . . ."

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MR. SPEAKER :—" Order, order. There is too much of noise in the House. I am not able to follow the proceedings."

* SRI A. RAMASAMY TEVAR :—" I have carefully observed, Mr. Speaker, for the last so many days that hon. Members do not seem to evince more interest in Assembly deliberations. That is why they go on speaking privately."

MR. SPEAKER :—" It is not my concern, if they do not take interest. I cannot understand the hon. Member's point. How can I make them take interest? How can I do that? "

* SRI A. RAMASAMY TEVAR :—" You must make that, Sir."

MR. SPEAKER :—" How, how? " (Laughter.)

* SRI S. PANCHAKSHARAM :—" It is because Mr. Tevar is not evincing as much interest as he was doing before! "

MR. SPEAKER :—" The hon. Member may continue his speech."

* SRI K. P. GOPALAN :—" On 1st January the factory was closed; on 31st December 1954, a big police force came to the factory . . ."

MR. SPEAKER :—" Let the hon. Member be brief."

* SRI K. P. GOPALAN :—" Yes, Sir. It was only at that time that the workers knew that the factory would be closed the next day. According to the rules they have to be given one month's notice or they have to be given compensation for retrenchment purposes. Sir, the retrenchment notices were issued only in the presence of the police force. It was a very dangerous state of affairs, because it affects the normal activity of the workers. If we take all the facts into consideration, it is clear that the closure of the factory is illegal, untimely and also the Government have failed to take any action in the matter. The Labour Officer to whom the Workers' Union sent petition after petition, telegram after telegram did not take up conciliation for 35 days.

" Sir, after the closure of the factory, the management took some of the workers inside the factory with the intention of giving them work. The management wanted to teach the workers a lesson. The workers had formed a union there recently; and the management did not like it. Moreover they wanted to take match sticks from private dealers at a profit. As a result of all this, 240 families are starving now and I want to bring to the notice of the Hon. Minister that it is the duty of the Government to see that the rules and Acts are observed; that it is the duty of the Government to see that such kinds of violations are not allowed; and under existing labour Acts it is the duty of the Government also to see that proper relief is given to the workers. Further, it is

the duty of the Government to see that the Labour Department should act promptly and see that the workers are given relief. With these words, I resume my seat, Sir.''

* THE HON. SRI M. BHAKTAVATSALAM :—'' Mr. Speaker, Sir, I would like to make the following statement with reference to this question.

'' The management of the Western India Match Co., closed their Dharmadam branch on 1st January 1955 as the working of the factory was found to be uneconomical. It is said that the Western India Match Co. Factory at Madras was able to purchase splints at cheaper rates from other factories in the West Coast than from the Western India Match Co., Dharmadam and that suitable wood for the manufacture of splints was not available in and around Dharmadam.

'' The Workers' Union contended that the closure was illegal because industrial disputes concerning the factory were pending before the Industrial Tribunal, Coimbatore as well as the Labour
9-30 a.m. Appellate Tribunal and that the management had not taken permission from these Tribunals to close the factory. It also contended that the closure was unwarranted because the factory was not working on loss and that the management had retained 45 workers without regard to the seniority of the workers.

'' It is reported that the factory was found to be uneconomical and that this can be considered as a bona fide trade reason for the closure of the concern.

'' The Western India Match Company, Tellicherry, in their letter, dated 29th December 1954, intimated to the Government that it proposed to retrench 208 workmen with effect from 1st January 1955 and that the workmen concerned were given one month's notice in writing under clause (*a*) of section 25 (*f*) of the Industrial Disputes Act. However, as the closure is said to be for bona fide reasons and wages paid for the notice period of one month, closure of the factory before the expiry of one month would not seem to matter.

'' It is reported that 45 workers are still working in the factory for the purpose of winding up the factory and that they will be discharged when the winding up work is finished.

'' It is also reported that there is no complaint about compensation already paid to the workers for the loss of employment.

'' As it is reported that the closure of the factory was for bona fide reasons, the Government cannot interfere in the matter.

'' The Labour Officer conducted conciliation proceedings and submitted his report to the Government through the Commissioner of Labour. It was seen that there was no case for adjudication. The Union has been informed about this position.''